UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,121	02/27/2002	Hiroshi Tsuda	826.1792	3398

21171 7590 06/25/2004	EXAMINER
STAAS & HALSEY LLP	NGUYEN, CINDY

SUITE 700	ART UNIT	PAPER NUMBER
1201 NEW YORK AVENUE, N.W.	2171	
WASHINGTON, DC 20005		

DATE MAILED: 06/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/083,121	TSUDA, HIROSHI
	Examiner	Art Unit	
	Cindy Nguyen	2171	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>27 February 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-43* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) *40* is/are allowed.

6)☒ Claim(s) *1-3,10-26,31-39 and 41-43* is/are rejected.

7)☐ Claim(s) *4-9, 27-30, 38* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>27 February 2002</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

This is in response to application filed on 02/27/02 in which claims 1-43 are presented for examination.

Priority(IDS)

Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

1. Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-3, 10-17, 19-26, 31, 32 and 41-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al. (U.S 6144095) (Fujii) in view of Mukai (U.S 6446095).

Regarding claims 1, 26 and 41, Fujii discloses: a popularity degree calculation method and a computer-readable storage medium that stores a program, and a computer data signal embodied in a carrier wave for calculating a popularity degree indicating the height of a popularity of a document in a network, comprising: calculating the popularity degree for each extracted document (col. 8, lines 15-53, Fujii). However, Fujii didn't disclose: extracting the document updated or collected during a first time period. On the other hand, Mukai discloses: extracting the document updated or collected during a first time period (col. 8, lines 1-39, Mukai).Thus, at the time invention was made, it would have been obvious to a person of

of ordinary skill in the art to include the step for extracting the document updated or collected

during a first time period in the system of Fujii as taught by Mukai. The motivation being

providing the decision data gain updates the contents of the decision data storage on the basis of

the period from gain of the non-text data to start of gain of another document, such an

arrangement may be employed in which the contents of the decision data storage are updated by

the user's judgment that the degree of importance is low and operation is passing this judgment

(col. 8, lines 1-39, Mukai).

Regarding claims 10, 31 and 42, Fujii/Mukai discloses: a document relation judgment method a

computer-readable storage medium that stores a program and a computer data signal embodied

in a carrier wave for judging a relation between documents in a network, comprising: extracting

a link relation from a first document (col. 8, lines 15-39, Fujii); and judging whether a second

document linked to by the first

document is a non-text document related to contents of the first document, based on the

link relation (col. 4, lines 55 to col. 5, lines 21, Mukai). Thus, at the time invention was made, it

would have been obvious to a person of ordinary skill in the art to include the document is a non-

text document related to contents of the first document, based on the link relation in the system

of Fujii as taught by Mukai. The motivation being enabling the document gains documents of

texts and link data such as images and sounds stored in the document storage connected to the

document gain by a network (col. 4, lines 55 to col. 5, lines 21, Mukai).

Regarding claim 2, all the limitations of this claim have been noted in the rejection of claim 1

above. In addition, Fujii/Mukai discloses: wherein the popularity degree is calculated based on

both a link relation of each of the extracted documents and document location information

indicating a location in the network of each of the documents (col. 8, lines 65 to col. 9, lines 22,

Fujii).

Regarding claim 3, all the limitations of this claim have been noted in the rejection of claim 2

above. In addition, Fujii/Mukai discloses: wherein the popularity degree is calculated based on

features of a character string describing the document location information (col. 10, lines 36-58,

Fujii).

Regarding claim 11, all the limitations of this claim have been noted in the rejection of claim 10

above. In addition, Fujii/Mukai discloses: further comprising: extracting a character string

located in the vicinity of a part which the first document is linking to the second document, from

the first document (col. 6, lines 27 –31, Fujii), wherein it is judged whether the second document

is the non-text document related to the contents of the first document, based on the character

string (col. 7, lines 15-40, Mukai).

Regarding claim 12, all the limitations of this claim have been noted in the rejection of claim 11

above. In addition, Fujii/Mukai discloses: wherein if the character string includes a specific

character string, it is determined that the second document is the non-text document related to the

contents of the first document (col. 4, lines 15-40, Mukai).

Regarding claim 13, all the limitations of this claim have been noted in the rejection of claim 10

above. In addition, Fujii/Mukai discloses: wherein it is judged whether the second document is

the non-text document related to the contents of the first document, based on an extension of a

file name of the second document (col. 7, lines 40-63, Mukai).

Regarding claim 14, all the limitations of this claim have been noted in the rejection of claim 13

above. In addition, Fujii/Mukai discloses: wherein if the extension is not a specific extension, it

is determined that the second document is not the non-text document related to the contents of

the first document (col. 7, lines 40-63, Mukai).

Regarding claim 15, all the limitations of this claim have been noted in the rejection of claim 10

above. In addition, Fujii/Mukai discloses: wherein it is judged whether the second document is

the non-text document related to the contents of the first document, based on whether the second

document is used a prescribed number of times or more in the first document (col. 7, lines 25-63,

Mukai).

Regarding claim 16, all the limitations of this claim have been noted in the rejection of claim 15

above. In addition, Fujii/Mukai discloses: wherein if the second document is used the prescribed

number of times or more in the first document, it is determined that the second document is not

the non-text document related to the contents of the first document (col. 7, lines 15-40, Mukai).

Regarding claim 17, all the limitations of this claim have been noted in the rejection of claim 15

above. In addition, Fujii/Mukai discloses: wherein if the second document is used less than the

prescribed number of times in the first document, it is determined that the second document is the non-text document related to the contents of the first document (col. 7, lines 15-40, Mukai).

Regarding claim 19, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Fujii/Mukai discloses: further comprising judging, if there is a fourth document linked to by the second document, whether the second document is the non-text document related to the contents of the first document, based on both document location information about the first document indicating location in the network of the document and document location information about the second document (col. 4, lines 55 to col. 5, lines 11, Mukai).

Regarding claim 20, all the limitations of this claim have been noted in the rejection of claim 19 above. In addition, Fujii/Mukai discloses: wherein it is judged whether the second document is the non-text document related to the contents of the first document, based on both the document location information about the first document and document location information about the fourth document (col. 9, lines 29-41, Mukai).

Regarding claim 21, all the limitations of this claim have been noted in the rejection of claim 10 above. In addition, Fujii/Mukai discloses: wherein if a fifth document is linked to by the second document and if a server address or a domain in each of the document location information about the second document indicating location in the network of the document and document location information about the fifth document is different from a server address or a domain in document location information about the first document, it is determined that the second document is not the non-text document related to the contents of the first document (col. 9, lines 29-41, Mukai).

Regarding claims 22, 32 and 43, Fujii/Mukai discloses discloses: A service type judgment method and a computer-readable storage medium that stores a program and a computer data signal embodied in a carrier wave for judging a type of a service provided by a document in a network, comprising: extracting a tag designating user input from the document (col. 6, lines 21-37, Fujii); and judging the type of the service provided by the document, based on the tag designating user input (co. 8, lines 1-33, Mukai).

Regarding claim 23, all the limitations of this claim have been noted in the rejection of claim 22 above. In addition, Fujii/Mukai discloses: further comprising: determining that the document provides no service, if the document includes no tag designating user input (col. 8, lines 20-23, Mukai).

Regarding claim 24, all the limitations of this claim have been noted in the rejection of claim 22 above. In addition, Fujii/Mukai discloses: wherein the service type provided by the document is judged based on the description of a button included in the document (col. 8, lines 20-23, Mukai).

Regarding claim 25, all the limitations of this claim have been noted in the rejection of claim 22 above. In addition, Fujii/Mukai discloses: wherein the service type provided by the document is judged based on a user input area included in the document (col. 8, lines 34-39, Mukai).

3.   **Claims 18, 33 and 35-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fujii et al. (U.S 6144095) (Fujii) in view of Mukai (U.S 6446095) and further in view of Page (U.S 6285999).**

Regarding claim 18, all the limitations of this claim have been noted in the rejection of claim 10 above. However, Fujii/Mukai didn't disclose: not registering the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order. However, Page discloses: not registering the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order (col. 8, lines 21-48, Page). Thus, at the time invention was made, it would have been obvious to a person of ordinary skill in the art to include the second document in a database as the non-text document related to the contents of the first document, if the first document includes a third document with a file name similar to a file name of the second document and if the file name of the second document is ranked lower than the file name of the third document in a dictionary order in the system of Fujii/Mukai as taught by Page. The motivation being to provide the list of documents is sorted with high ranking documents first and low ranking documents last (col. 8, lines 21-48, Page).

Regarding claim 33, all the limitations of this claim have been noted in the rejection of claim 1. It is therefore rejected as set forth above. In addition, Fujii/Mukai/Page discloses: collecting documents from the network (col. 5, lines 30-60, Fujii); retrieving the document meeting retrieval conditions from the collected documents, based on the retrieval conditions (col. 6, lines 38-65, Fujii); ranking the retrieved documents, based on the popularity degree (col. 4, lines 5 to col. 5, lines 60, Page); and outputting information about the retrieved documents, based on the ranking result (col. 8, lines 40-48, Page).

Regarding claim 35, all the limitations of this claim have been noted in the rejection of claim 33. In addition, Fujii/Mukai/Page discloses: further comprising: judging whether another document linked to by the document is a non-text document related to the contents of the document, based on the link relation (col. 8, lines 1-39, Mukai); and adding the information about the related non-text document to the information about the retrieved documents (col. 8, lines 1-39, Mukai).

Regarding claim 36, all the limitations of this claim have been noted in the rejection of claim 35. In addition, Fujii/Mukai/Page discloses: further comprising: embedding the information about the related non-text document into the related non-text document (col. 8, lines 15-30, Mukai).

Regarding claim 37, all the limitations of this claim have been noted in the rejection of claims 33, 22 and 23. It is therefore rejected as set forth above.

Regarding claim 39, all the limitations of this claim have been noted in the rejection of claims 1, 26 and 33. It is therefore rejected as set forth above.

4.   *Allowable Subject Matter*

Claims 4-9, 27-30, 38 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: The popularity degree calculation method according to claim 1, further comprising: calculating a popularity transition degree indicating both a direction and a degree of transition of the popularity degree for each of the extracted documents as recited in claim 4 and 34.

Regarding claims 5-9, these claims depend from claim 4 and are therefore objected.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: the storage medium that stores a program for enabling the computer to execute a process according to claim 26, the process further comprising: calculating a popularity transition degree for indicating both a direction and a degree of the popularity degree of the document, based on the popularity degree calculated during a second time period as recited in claim 27.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: the storage medium that stores a program for enabling the computer to execute a process according to claim 26, the process further comprising: calculating a popularity transition degree for

indicating both a direction and a degree of the popularity degree of the document, based on the regression equation as recited in claim 28.

Regarding claims 29 and 30, these claims depend from claim 28 and are therefore objected. The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: the document retrieval method according to claim 33,further comprising: notifying the user of the fact that a popularity degree has reached the value, if the popularity degree for the document specified by the document location information has reached the value as recited in claim 38.

Claim 40 is allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record and that encountered while searching for the claimed invention fails to anticipate and/or suggest: An area information document retrieval apparatus for searching for documents about an area in a network, comprising: a popularity degree transition calculation unit calculating a popularity transition degree for indicating both a direction and a degree of transition of the popularity degree, based on the popularity degree calculated during a second time period as recited in claim 40.

5.   *Contact Information*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy Nguyen whose telephone number is 703-305-4698. The examiner can normally be reached on M-F: 8:00-5:00.
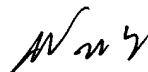
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-872-9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Cindy Nguyen

June 21, 2004

WAYNE AMSBURY
PRIMARY PATENT EXAMINER